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6

7

8   UNITED STATES DISTRICT COURT

9   NORTHERN DISTRICT OF CALIFORNIA

10   SAN FRANCISCO DIVISION

11 NATIONWIDE MUTUAL INSURANCE   CASE No. C04 – 4933 MMC
    COMPANY,
12   **STIPULATION TO EXTEND DEADLINE**
                                             FOR PLAINTIFF TO FILE RESPONSIVE
13   Plaintiff,   **PLEADING TO COUNTERCLAIM**
                                              AND ORDER THEREON
14   vs.

15 ALEXANDER HOLTON; JOHN
    WESTOBY, LYNN WESTOBY, MARIE
16 RAPHAEL, RAY RAPHAEL, STATE
    FARM GENERAL INSURANCE
17 COMPANY and DOES 1-50, inclusive,

18   Defendants.

19

20   RECITALS

21   Plaintiff Nationwide Mutual Insurance Company ("Nationwide") filed its original

22 complaint this action on November 19, 2004. On July 12, 2005, Nationwide filed its first

23 amended complaint naming as a defendant, *inter alia*, State Farm General Insurance Company

24 ("State Farm"). On July 26, 2005, State Farm filed a counterclaim against Nationwide for

25 equitable contribution. A responsive pleading to State Farm's counterclaim is currently due from

26 Nationwide no later than August 15, 2005. At the request of counsel for Nationwide, counsel for

27 State Farm has agreed to extend the time for Nationwide's response.

28

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                                          1
    STIPULATION TO EXTEND TIME FOR PLAINTIFF TO RESPOND TO COUNTERCLAIM

<u>STIPULATION</u>

It is hereby stipulated by defendant State Farm and plaintiff Nationwide, by and through their counsel of record, and pursuant to Local Rule 6-1(a):

1.   Plaintiff Nationwide's responsive pleading, currently due on August 15, 2005, shall be due not later than August 29, 2005;

2.   All other current deadlines shall remain unchanged.

IT IS SO STIPULATED.

Dated: August 11, 2005   HAYES, DAVIS, ELLINGSON, MCLAY, & SCOTT

By: _____/s/_____
         STEVEN M. HAYES
         RICHARD A. DANA
         Attorneys for Defendant
         State Farm General Insurance Company

Dated: August 11, 2005   LONG & LEVIT LLP

By: _____/s/_____
         KAREN L. UNO
         DAVID P. BOROVSKY
         Attorneys for Plaintiff
         NATIONWIDE MUTUAL INSURANCE COMPANY

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Dated: August 12, 2005

IT IS SO ORDERED
Judge Maxine M. Chesney
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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STIPULATION TO EXTEND TIME FOR PLAINTIFF TO RESPOND TO COUNTERCLAIM